

07/30/01
J160 U.S. PTO

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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A

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.	015280325200
First Inventor	RYBAK, Susanna M., et al
Title	IMMUNOTOXINS DIRECTED AGAINST MALIGNANT CELLS
Express Mail Label No.	EL 827150062 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 40]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C.113) [Total Sheets 9]
5. Oath or Declaration [Total Pages 4]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)

i **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

JC979 U.S. PTO
09/91888
07/30/01

ACCOMPANYING APPLICATIONS PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 C.F.R. §3.73(b) Statement
(when there is an assignee)

Associate Power of Attorney – COPY
FROM PRIOR APPLN.
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449

Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: 09 / 071,672

Prior application information: Examiner A. DeCloud

Group Art Unit: 1644

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 20350 or Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Jean M. Lockyer, Ph.D.	Registration No. (Attorney/Agent)	44,879
Signature		Date	July 30, 2001

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231
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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 800

Complete if Known	
Application Number	
Filing Date	July 30, 2001, via Express Mail #EL827150062US
First Named Inventor	RYBAK, Susanna M., et al.
Examiner Name	
Group Art Unit	
Attorney Docket No.	015280-325200US

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																									
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ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee Code (\$)</th> <th>Small Fee Code (\$)</th> <th>Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify)</td></tr> <tr> <td colspan="4">The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</td><td colspan="2"></td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td><td colspan="2" rowspan="2">SUBTOTAL (3) <input type="text" value="(\$)"/></td></tr> <tr> <td colspan="6">**or number previously paid, if greater; 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SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	Jean M. Lockyer, Ph.D	Registration No (Attorney/Agent)	44,879	Telephone	415-576-0200	
Signature				Date	July 30, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. v

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Not Yet Assigned
)
SUSANNA M. RYBAK, et al.) Art Unit: 1642
)
Serial No.: 09/071,672) APPOINTMENT OF ASSOCIATE
) ATTORNEYS AND AGENTS BY
) PRINCIPAL ATTORNEY OR AGENT
) UNDER 37 CFR §1.34(b) AND MPEP
) 402.02
)
For: IMMUNOTOXINS DIRECTED)
AGAINST MALIGNANT CELLS)
)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b) and MPEP 402.02, the undersigned principal attorney or agent of record hereby appoints the following representatives from the law firm of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111-3834, telephone: (415) 576-0200, as associate attorneys and/or patent agents in this application with full powers to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith:

Philip H. Albert, Reg. No. 35,819
Hector A. Alicea, Reg. No. 40,891
Randolph T. Apple, Reg. No. 36,429
Kevin L. Bastian, Reg. No. 34,774
Guy Chambers, Reg. No. 30,617
Karen B. Dow, Reg. No. 29,684
Gregory P. Einhorn, Reg. No. 38,440
Susan K. Faris, Reg. No. 41,739
James F. Hann, Reg. No. 29,719
M. Henry Heines, Reg. No. 28,219
James M. Heslin, Reg. No. 29,541
Tom Hunter, Reg. No. 38,498
Laurence J. Hyman, Reg. No. 35,551

Charlie E. Krueger, Reg. No. 30,077
Joe Liebeschuetz, Reg. No. 37,505
Annette S. Parent, Reg. No. P-42,058
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Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rybak *et al.*

Application No.: Unassigned

Filed: Herewith

For: IMMUNOTOXINS DIRECTED
AGAINST MALIGNANT CELLS

Examiner:

Art Unit:

**SEQUENCE LISTING SUBMISSION
STATEMENT UNDER 37 CFR 1.821(e)**

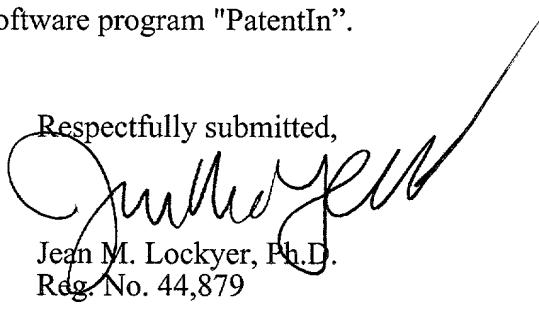
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is a paper copy of the sequence listing to be inserted at the end of the application filed herewith. The computer readable form of the Sequence Listing is identical with that filed in parent Application Serial No. 09/071,672 filed May 1, 1998. In accordance with 37 CFR 1.821(e), please use the computer readable form filed in the parent application as the computer readable form in the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. The paper copy of the Sequence Listing is identical to the computer readable form on file in the parent application.

The information contained in the computer readable disk submitted in the parent application was prepared through the use of the software program "PatentIn".

Respectfully submitted,


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